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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 OAKLAND DIVISION

19  
20 In re RIPPLE LABS INC. LITIGATION

Case No. 4:18-cv-06753-PJH

21  
22 This Document Relates to:  
23 ALL ACTIONS

**DECLARATION OF ANDREW  
MICHAELSON ISO DEFENDANTS'  
REPLY ISO MOTION TO STRIKE  
REBUTTAL REPORT OF PLAINTIFF'S  
EXPERT**

**DECLARATION OF ANDREW MICHAELSON**

I, Andrew Michaelson, declare as follows:

1. I am a member of the bar of the state of New York and admitted *pro hac vice* to practice before this Court. I am a partner in the law firm of King & Spalding LLP and counsel for Defendants Ripple Labs Inc., XRP II, LLC, and Bradley Garlinghouse (“Defendants”) in the above-captioned action. I have personal knowledge of the following facts and, if called as a witness, could and would competently testify to the matters stated herein. I make this declaration in support of Defendants’ Reply in Support of Motion to Strike Rebuttal Report of Plaintiff’s Expert.

2. On April 5, 2023, I participated in a meet-and-confer call with Plaintiff’s counsel regarding the Rebuttal Report submitted by Plaintiff’s expert with Plaintiff’s Reply in Support of Class Certification. During that call, I articulated the unfairness presented by Plaintiff’s reliance on Dr. Feinstein’s Rebuttal Report, including because it presented new opinions. I stated that Dr. Feinstein presented new opinions in rebuttal to the report of Dr. Attari, Defendants’ expert, and also that Dr. Feinstein attempted to expand upon the opinions concerning a common methodology to calculate damages presented in his initial report. In an attempt to resolve this issue, I requested that Plaintiff make Dr. Feinstein available for a deposition on the opinions expressed in his Rebuttal Report.

3. Attached hereto as **Exhibit 1** is a true and correct copy of an emails exchanged between counsel on April 4 and 5, 2023. This is the same chain contained in Plaintiff’s Exhibit 5 but contains Plaintiff’s counsel’s final response to my email, which was not contained in Plaintiff’s Exhibit 5.

4. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts of the Deposition of Dr. Mukarram Attari, taken on March 8, 2023.

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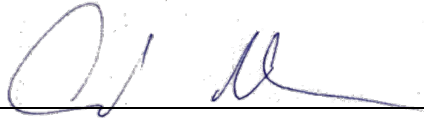
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1 I declare under penalty of perjury pursuant to the laws of the State of California that the  
2 foregoing is true and correct.

3 Executed this 21st day of April 2023, at New York, New York.

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6 Andrew Michaelson